



Calendar Year 2011 Recycling Reporting Guidance

I. Purpose

To determine the extent to which recycling is occurring, Title 7 §6056(a) requires all persons, including persons who collect, process or market recyclables, with the exception of those specified in §6053(e), must report to the Department on a calendar year basis, no later than February 15th of the following year, the type and quantity of recyclables managed, the method of recycling collection used (single or multiple streams), and the location of the recycling facilities used pursuant to reporting guidance developed by the Department and the Recycling Public Advisory Council. The first recycling report shall cover calendar year 2011 and shall be due no later than February 15, 2012.

II. Definitions

Notwithstanding any definitions in Chapters 60 or 64 of Title 7 to the contrary, the following words and phrases shall have the meaning ascribed to them in this guidance unless the context clearly indicates otherwise.

- (a) 'Authority' means the Delaware Solid Waste Authority.
- (b) 'Commercial and Institutional Recyclables' means any recyclable material that is generated by stores, offices, restaurants, warehouses, and other manufacturing, industrial or processing activities, and enterprises such as social, charitable, educational, and government services.
- (c) 'Department' means Delaware Department of Natural Resources and Environmental Control.
- (d) 'End user of recyclables' means facilities that purchase or secure recovered materials for the purpose of recycling. Examples include recycling plants and composting facilities. Excludes waste disposal facilities.
- (d) 'Independent Recycling Collector/Hauler' means a person who provides recyclables collection services.
- (e) 'Multi-family' means 3 or more attached structures, such as condominiums or apartments, generally intended for occupancy by individuals or families and where centralized community trash disposal and collection services are typically provided.
- (f) 'Person(s)' means any municipality or commercial business (exclusive of households) who arranges for the recycling or beneficial reuse of Recyclable Material off-site (whether in Delaware or out-side of Delaware), including: all independent recycling collectors/haulers; self marketing generators; processors of recyclable materials; end users of recyclables; and

all municipalities or other units of government in Delaware who collect, self market, or contract for collection of Recyclable Materials.

(g) 'Processor of Recyclable Material' means a person that handles recyclable materials from collectors and generators for the purpose of preparing materials for recycling (material recovery facilities, scrap metal yards, paper dealers, and glass beneficiation plants, etc.). Processors act as intermediaries/brokers between collectors and end users of recovered materials.

(h) 'Recyclable Material' or 'Recyclables' means any material or group of materials that can be collected and sold or used for recycling or beneficial reuse.

(i) 'Recycling' means the process by which solid wastes are separated for use as raw materials, products or replacement of products, including the beneficial reuse of organic wastes, but does not include the incineration of materials for energy.

(j) 'Residential Waste' means the solid waste generated in occupied single-family and multi-family structures. Also referred to as 'Household Waste.'

(k) 'Self-Marketing Generator' means a person that directly markets the recyclables generated by their business to a Processor of Recyclable Material or an End User.

(l) 'Single Stream' means a system in which all fibers (including but not limited to paper, cardboard, etc.) and containers (including but not limited to plastic, glass and metal) are commingled for collection into one container instead of being sorted into separate commodities and multiple containers.

(m) 'Single-family' means either a detached structure (i.e. a house) surrounded by open space or attached structures, such as town or row homes, generally intended for occupancy by a family and where individual trash collection services are typically provided for each structure.

(n) 'Source Separated' means recyclable materials, including single stream recyclables, which are segregated at the point of generation and kept apart from the waste stream by the generator thereof for the purpose of collection and recycling.

III. Reporting Requirements

The information required in the *Annual Recycling Activity Report* is necessary to determine statewide diversion rates of recyclables, to determine compliance with the recycling reporting requirements and to provide accurate and comprehensive information in aggregate on the type and amounts of residential, commercial and institutional recyclables generated and diverted from disposal in Delaware. The information required on the reporting form shall be reported to the Department no later than February 15th of each calendar year for the previous calendar year. Specifically, the following information shall be reported:

(a) The type and corresponding weight in tons of each recyclable material collected for the purpose of recycling for the following sources:

(i) Single-family residential;

(ii) Multi-family residential and;

(iii) Commercial & Institutional.

(b) The information required in paragraph (a) of this subsection shall be reported in the following manner:

(i) The weight of material collected shall be determined either by direct measurement or by determining the weight of material sold or otherwise sent off-site or used on-site for recycling during the calendar year, adjusted by the difference in weight of material held in inventory on the first day and last day of the calendar year;

(ii) In cases where a reporting person is unable to provide exact weight information for the categories identified in paragraph (a)(i),(ii) & (iii) of this subsection, reasonable estimates allocating the weight of recyclable material from each source shall be made inclusive of an explanation of the method of estimation used.

(c) Municipal Government Reporting Requirements/Reporting Exemption:

Those municipal governments that collect and deliver all of their recyclables to an Authority recycling facility are exempt from these reporting requirements. However, the Authority shall report to the Department the tonnage of recyclables delivered to the Authority for each municipality that self hauls. Where necessary to estimate between single-family, multi-family and commercial & institutional recyclables delivered by an exempt municipality the reporting requirements of paragraph b(ii) of this subsection shall apply to the quantities reported by the Authority on behalf of the municipality. If a municipality chooses to deliver its recyclables to a location other than the Authority, then it shall be required to self report the disposition of those recyclables as required in section IV(a) & (b) of this guidance.

V. Report Submission and Management of Confidential Information

DSM Environmental Services, Inc. has been contracted to collect, collate and generate the aggregated materials data from the required recycling reports such that no individual company data is reported to the Department or the public thereby maintaining the confidentiality of individual company data. To the extent that generators of recyclables are already known, and as new generators are discovered, they will be emailed the following attachments:

- Attachment A is the Department's letter explaining the requirement to report.
- Attachment B is DSM's letter explaining the reporting process.
- Attachment C is the actual reporting form.
- Attachment D is an example of how the aggregated data is reported by the Department.

It is requested that all reports be delivered directly to DSM via fax or email as indicated on the reporting form.

If the decision is ever made to have this information reported directly to DNREC please note that the Department's Freedom of Information Act (FOIA) requirements specify the procedures and criteria under which a person may request that certain records or portions of records submitted to the Department be held confidential. For more information visit the Department's FOIA regulation at: <http://www.dnrec.de.us/dnrec2000/FOIA.pdf>

Attachment A

Delaware Annual Recycling Reporting now Mandatory Letter



STATE OF DELAWARE DEPARTMENT OF
NATURAL RESOURCES
& ENVIRONMENTAL CONTROL
DIVISION OF WASTE AND HAZARDOUS SUBSTANCES
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

OFFICE OF THE
DIRECTOR

TELEPHONE: (302) 739-9400
FAX: (302) 739-1894

January 30, 2012

Subject: Delaware Annual Recycling Reporting now Mandatory

Dear Recyclables Generator:

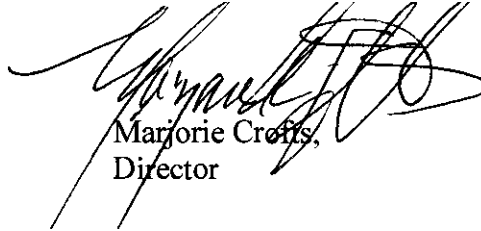
Over the past several years most of you have been requested to report your recycling activity on a voluntary basis. If you are receiving this recycling reporting request for the first time, welcome to Delaware's recycling reporting survey. Historically the requested information was collected by a third party environmental firm, DSM Environmental Services, Inc. DSM worked with Delaware's Recycling Public Advisory Council to design the survey and has used the survey to collect and aggregate data on an annual basis. DSM has always offered survey participants the option of keeping their reports confidential, and has always aggregated the survey data in its annual report to RPAC to assure that individual company data are not reported. DSM has then analyzed the data to ensure double counting does not occur and determined the total quantity of recyclable materials generated in Delaware. This aggregated data is then supplied to RPAC for the purpose of verifying Delaware's recyclables diversion rate. This process has worked well and I want to take this opportunity to thank you for your willingness to participate in these past data collection efforts.

Because this process has worked well, collection of the individual company data and distribution of the aggregated data will continue as described above enabling the third party aggregator (e.g. DSM) the opportunity to maintain confidential data. However, there is one substantial change with respect to reporting recycling data starting with the calendar year 2012 that I must bring to your attention. On June 8, 2010 Governor Markell signed Senate Bill 234 (Universal Recycling) into law. Title 7 §6056(a) of this legislation makes reporting the type and quantity of recyclables generated mandatory effective February 15, 2012 starting with the recycling activity that took place in calendar year 2011. The Universal Recycling legislation is also inclusive of an enforcement component to ensure compliance with its requirements if needed and establishes diversion goals through the year 2020.

The Universal Recycling Reporting Guidance is available for your review at <http://www.dnrec.delaware.gov/whs/awm/Recycling/Documents/2011%20recycling%20reporting%20guidance%20draft%204.28.11.pdf>. As RPAC's responsibilities include advising the legislature on recycling policy in Delaware and because it is only with accurate information that good policy recommendations can be made, your participation in these reporting requirements is vital to maintaining sound recycling policy in Delaware. To preserve your confidential information, it is requested that you submit your recyclables data to DSM only.

Attached to this letter you will find DSM's letter requesting the recycling data and the 2011 reporting form. If you have any questions regarding these reporting requirements please contact DSM at 802-674-2840 or Mr. James Short of my staff at 302-739-9403. I thank you in advance for your cooperation and commend you for your ongoing recycling efforts.

Sincerely,

A handwritten signature in black ink, appearing to read "Marjorie Crofts", is written over the typed name and title.

Marjorie Crofts,
Director

Cc: BJ Vinton, Chair RPAC
Mike Parkowski, DSWA

Attachment B

DSM's Recycling Reporting Cover Letter

DSM ENVIRONMENTAL SERVICES, INC.

Resource Economists
Environmental Scientists

February 7, 2012

Re: **Delaware Recycling Report for Calendar Year 2011**

To Whom It May Concern:

DSM Environmental Services, Inc. (DSM) is working with the Delaware Department of Natural Resources and Environmental Control (DNREC) and the Delaware Recycling Public Advisory Council (RPAC) to complete the annual survey of all generators, haulers and brokers of recyclables in the State of Delaware during calendar year 2011 as part of RPAC's annual report on Delaware's recycling rate. Past RPAC recycling reports can be found at: <http://www.dnrec.delaware.gov/whs/awm/info/pages/rpac.aspx>

DSM appreciates your voluntary participation in past recycling surveys for RPAC. As indicated in the attached letter from DNREC **recycling reporting is now mandatory** and the first recycling report shall cover calendar year 2011 and shall be due no later than February 15, 2012.

DSM is acting as an independent third party to carry out the survey and offer survey participants the opportunity for their data to remain confidential. As in past years, all survey data collected will be aggregated by the weight of each material type for reporting purposes. No individual company data will be reported.

The weight of material collected shall be determined either by direct measurement or by determining the weight of material sold or otherwise sent off-site or used on-site for recycling during the calendar year 2011, adjusted by the difference in weight of material held in inventory on the first and last day of the calendar year. If you are unable to provide exact weight information, reasonable estimates allocating the weight of recyclable material from each source shall be made. If you are using estimation methods to report, we request that you follow the same protocol from year to year in order to maintain consistency and provide the best possible data. We also ask you to list where you send materials for processing or marketing in order to ensure that double counting of material does not occur.

Along with the letter from DNREC explaining the mandatory reporting requirement, I have also enclosed the reporting form for 2011. Please fill out the form with the amount of material your company recycled in 2011 and email or fax it back to DSM. You can also find the form on our website at: www.DSMenvironmental.com.

Please feel free to call me if you have any questions at (802) 674-2840. Thank you for your help.

Regards,
DSM Environmental Services, Inc.



Natalie Starr

Additional Explanation of Information Requested on the Recycling Survey Form:

Below is the main component of the Recycling Reporting Form with some additional information that may be helpful to you in completing the form. If you have questions, please do not hesitate to contact DSM Environmental Services at:

E-mail: DSM@DSMEnvironmental.com
Telephone: (802) 674-2840
Fax: (802) 674-6915

Example of Materials Typically Reported for Recycling	Description of Information Requested:			
	"Company or location where you send the material for Recycling, Processing or End Use"	Percent Commercial (%)	Percent Residential (%)	Approximate percent of material originating from Delaware only
Corrugated Cardboard	This information is important so that DSM does not double count material that is handled by another recycler that participates in the survey.	Percentage of each material listed originating from commercial sources. This is important so that a commercial recycling rate can be separately calculated for Delaware.	Percentage of each material listed originating from residential sources. This is important so that a residential recycling rate can be separately calculated for Delaware.	Percentage of each material listed originating from generators located in Delaware as opposed to out of State. The recycling rate must be calculated from Delaware materials recycled only.
Mixed Paper				
Newspaper	If you broker direct to an end user outside of Delaware, and you would prefer not to list them, just list "End-User outside of DE" on the form. Please understand that we may need to contact you for more information to confirm that double counting has not occurred.			
Office Paper				
Glass Bottles and Containers				
Plastic Bottles and Containers				
Aluminum Cans				
Mixed Recyclables or Single Stream				
Retail Bags				
Shrink Wrap				
Pallets				
Mixed Plastics (non-industrial)				
Textiles				
Carpet (and Padding)				
Electronics				
Fluorescent Bulbs				
Oil Filters				
Tires (used in engineered products, retreaded or otherwise recycled but not burned)				
Lead Acid Batteries				
Other Batteries				
White Goods/Appliances				
Food Waste				
Fats-Oils-Grease				
Leaf and Yard Waste				
Trees and Branches				
Clean Wood				
Other Material, please list:				

Attachment C
Delaware Annual Recycling Activity Report Form

REPORT FORM FOR CALENDAR YEAR 2011
Confidential—No company-specific data will be released

Thank you for completing this survey.

If you have any questions about this form or the annual Delaware recycling report, please call the third party consulting firm, DSM Environmental, at (802) 674-2840, or the Delaware Solid and Hazardous Waste Management Section at (302) 739-9403.

Company Information			
Company _____	Subsidiary of _____		
Mailing Address _____	Contact Name _____		
City _____ State _____ Zip _____	Title _____		
Physical Address _____	Phone _____		
... Same as mailing _____	FAX _____		
City _____ State _____ Zip _____	Email _____		
Company Type:	Recyclables Collector/Hauler Municipality _____	Processor Self Marketing Generator _____	End User Other _____
If you use a waste hauler or recycling service(s) to collect your recyclables please indicate the company (or companies) name, address and contact information and no further information is required: _____			

Materials Recycled (between January 1 and December 31, 2011)					
Material ¹	Annual Tons Recycled 2011	Please list (as available) the company or location where you send the material for Recycling, Processing or End Use ²	Percent Commercial	Percent Residential	Approx. percent of material originating from Delaware ONLY ³
			%	%	%
			%	%	%
			%	%	%
			%	%	%
			%	%	%
			%	%	%
			%	%	%
			%	%	%
			%	%	%
			%	%	%
			%	%	%

1. Please be specific as to material type: Corrugated; Newspaper; Office Paper; Mixed Paper; Glass; Shrink Wrap; Retail Bags; Plastic Containers; Aluminum Cans; Pallets; Mixed Recyclables or Single Stream; White Goods/Appliances; Leaf and Yard Waste; Trees and Branches; Clean Wood; Tires recycled but not burned; Lead Acid Batteries; Other Batteries; Oil Filters; Textiles; Electronics; Florescent Bulbs; Carpet; Fats-Oil-Grease; Food Waste; Mixed Plastics (Non-Industrial).

2. This information is important so that DSM does not double count material that is handled by another recycler that participates in our survey. If you broker direct to an end user outside of DE, and you would prefer not to list them, just list "End-User outside of DE."

3. For companies that receive recycling material from outside the state of Delaware, estimate the percent of material from Delaware only.

Non-Disclosure	
The information provided is confidential	
Yes	No
<p>DSM Environmental Services, Inc. (DSM) will hold confidential any information and data provided to us which you specify as confidential, as part of the Delaware Statewide Municipal Recycling Annual Report that DSM is conducting for the Delaware Recycling Public Advisory Council (RPAC). The purpose of the study is to develop reasonable and professional estimates of the quantity of material recovered for recycling from residential and non-residential activities located in Delaware, and to ensure no double counting of material occurs. Data provided to DSM will be aggregated with all other material quantities reported to develop a single, annual quantity (in tons) of material recycled for each material type. DSM agrees not to release, divulge or report any individual data or information reported to any party, including RPAC, and will maintain complete confidentiality with the data using it only for aggregate material reporting.</p>	

**Please fax completed form to DSM:
(802) 674- 6915**

DSM Environmental Services, Inc.
P.O. Box 2 • Windsor, VT 05089
802.674.2840 • 802.674.6915 fax
www.dsmenvironmental.com

Attachment D - Example of Aggregated Data

	2009 CY		2008 CY		Difference	
Material Category	Total (tons)	MSW (tons)	Total (tons)	MSW (tons)	Total (tons)	MSW (tons)
Paper						
Corrugated (OCC)	58,384	58,384	67,191	67,191	-8,807	-8,807
Newspaper (ONP)	2,728	2,728	3,735	3,735	-1,007	-1,007
Sorted Office Paper	6,359	6,359	5,496	5,496	863	863
Mixed Paper (1)	9,218	9,218	10,509	10,509	-1,290	-1,290
Subtotal:	76,690	76,690	86,930	86,930	-10,241	-10,241
Packaging						
Glass	0	0	23	23	-23	-23
Shrink Wrap	2,178	2,178	1,983	1,983	195	195
Plastic Containers	27	27	23	23	4	4
Aluminum Cans	171	171	49	49	122	122
Pallets (2)	1,954	1,954	4,465	4,465	-2,511	-2,511
Mixed Recyclables (3)	4,950	4,950	7,044	7,044	-2,094	-2,094
Subtotal:	9,279	9,279	13,585	13,585	-4,306	-4,306
Metals						
White Goods	18,174	18,174	22,485	22,485	-4,311	-4,311
Aluminum	1,158	unknown	1,305	unknown	-147	unknown
Ferrous	113,584	unknown	142,918	unknown	-29,334	unknown
Non-ferrous	12,315	unknown	39,330	unknown	-27,014	unknown
Scrap Cars	6,323	0	8,351	0	-2,028	0
Subtotal:	151,555	18,174	214,389	22,485	-62,835	-4,311
Green Waste						
Leaf and Yard Waste	65,886	65,886	60,986	60,986	4,900	4,900
Trees and Branches	53,281	53,281	55,247	55,247	-1,966	-1,966
Clean Wood	0	0	280	0	-280	0
Subtotal:	119,167	119,167	116,513	116,233	2,653	2,933
Vehicle Waste						
Tires (4)	22,737	18,735	10,148	8,815	12,589	9,921
Lead Acid Batteries	1,917	1,917	1,992	1,992	-75	-75
Oil Filters	195	195	321	321	-126	-126
Subtotal:	24,849	20,847	12,461	11,128	12,387	9,719
Special Wastes						
Textiles (5)	3,155	3,155	3,305	3,305	-150	-150
Electronics	449	449	295	295	154	154
Florescent Bulbs	33	33	34	34	-1	-1
Carpet	15	15	15	15	0	0
Subtotal:	3,653	3,653	3,649	3,649	4	4
Ag and Food Wastes						
Fats, Oil, Grease	8,826	8,826	8,393	8,393	433	433
Food Waste	9,812	9,812	5,650	5,650	4,163	4,163
Subtotal:	18,639	18,639	14,042	14,042	4,596	4,596
Industrial Waste Recovery						
Mixed Plastics	1,338	669	2,029	1,014	-691	-345
Subtotal:	1,338	669	2,029	1,014	-691	-345
Total Recovery:	405,168	267,117	463,599	269,067	-58,430	-1,950